

Atty. Dkt. No. 03CR096/KE

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 11 is currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application.

**Drawings**

In section 2 of the office action the Examiner indicated that the drawings are acceptable for examination purposes and the Office Action Summary indicates that "the drawings filed on September 22, 2003 are accepted. To Applicant's knowledge the drawings filed on September 23, 2003 are formal drawings and thus, if Applicant's knowledge is incorrect, Applicant's request the Examiner to point to any deficiencies in the drawings, causing them to be informal.

**Claim Rejections – 35 U.S.C. § 103**

In section 4 of the office action claims 11-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ammar et al. ('926) or Kuntman ('558) in view of Baron, Sr. et al. ('609).

With regard to independent claim 11, Applicants have amended independent claim 11 to recite "providing a model of the typical estimated fall-off of reflectivity level of conventional weather systems" and "applying the model to the received weather radar returns to recreate an approximate and undetectable fringe around the long range weather radar returns which may only detect high level weather activity." Applicants respectfully submit that none of Ammar et al., Kuntman, and Baron, Sr. et al., alone or in any proper combination, disclose,

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teach, or suggest all of the claim limitations including but not limited to approximation of the undetectable fringe around the long range radar returns based on a model of conventional weather systems. Accordingly, Applicants submit that claims 11-15 are not obvious over the cited references because all of the claim limitations are not taught or suggested by the cited references. Thus, claims 11-15 are allowable.

With regard to independent claim 16, Applicants respectfully submit that none of Ammar et al., Kuntman, and Baron, Sr. et al., alone or in any proper combination, disclose, teach, or suggest all of the claim limitations including but not limited to "averaging a first subset of the weather radar returns" and "adjusting the individual values of the first subset based on the averaging." The Examiner is requested to point out where such limitations may be taught in the cited references, as there is no discussion of these claim limitations in the office action. Likewise, the claim limitations of claims 17-20 are not discussed in the rejection and are not disclosed in the cited references. Accordingly, Applicants respectfully submit that claims 11-20 are allowable.

#### **Allowable Subject Matter**

Applicants acknowledge the allowability of claims 1-10 and reserve the right to issue claims 1-10, as they currently stand, after further examination of claims 11-20 whether claims 11-20 are found to be rejected or allowed.

\* \* \* \* \*

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date 20 Dec 2004By Nathan O Jensen

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